



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/524,330
Applicant(s) : Alexander Vogel
Filed : February 11, 2005
TC/A.U. : 1621
Examiner : Porfirio Nazario Gonzalez

Confirmation No. 6940

Docket No. : 62398A
Customer No. : 00109

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Melissa Van Meter

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Melissa Van Meter

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June 20, 2006

DATE OF SIGNATURE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PETITION TO ACCEPT DELAYED PAYMENT OF ISSUE FEE

This is a petition requesting delayed acceptance of the issue fee filed concurrently herewith and if revival of the above-identified application is required, to so revive the same. The Notice of Allowance and Issue Fee Due was dated March 13, 2006 and stated that payment was due by June 13, 2006 to avoid abandonment. Applicant's attorney prepared the appropriate authorization for payment of the issue fee in a timely fashion by means of a completed Issue Fee Transmittal Form PTOL-85 which was dated May 16, 2006. By means of telephonic interview with the above-identified Examiner on or about May 16, 2006, Applicant was informed that an Examiner's amendment would be issued in this application in order to correct an improper dependency appearing in claim 8. Applicant was advised not to pay the Issue Fee until after receipt of the Office Action in order to preserve any right to offer a correction in case a mistake in the Examiner's Amendment occurred.

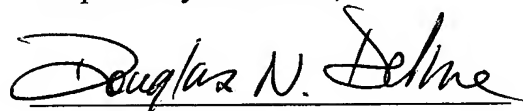
On June 14, 2006, the Examiner issued a communication containing the Examiner's amendment and establishing a period of three months from the date of the communication in which Applicant could file a reply if necessary. Accordingly, at the time the Office Action was issued, the previously established period in which to pay the issue fee had expired.

No mistake in the Examiner's Amendment is known to Applicant. Accordingly, Applicant desires to submit payment of the Issue Fee due and proceed to grant of the patent.

Due to the fact that the time period to respond to the Examiner's Amendment has not expired, and due to the fact that Applicant could not respond to the Examiner's Amendment prior to expiration of the time to pay the Issue Fee, the delay in paying the Issue Fee is believed to be solely the result of action taken by the Office. Accordingly, acceptance of the Issue Fee at the present time as being unavoidably delayed is requested.

It is also Applicants' position that the above-referenced application has never been abandoned due to the above recited facts. If this is incorrect and the application has in fact been abandoned, revival thereof and acceptance of the presently submitted Issue Fee at this time is accordingly requested. In as much as the abandonment was not the fault of Applicant, no fee is believed to be due. If this is incorrect, please charge our Deposit Account No. 04-1512 accordingly. One original copy of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Douglas N. Deline", written over a horizontal line.

Douglas N. Deline
Registration No. 29,146
Phone: 989-636-2938

Dated: June 20, 2006